

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1-4, 10, and 12-15 are pending in the application, with claim 1 being independent. Applicant amends claim 1 to further clarify features of the claimed subject matter. Applicant cancels claims 5-8 without prejudice, waiver, or disclaimer of the subject matter. The original specification and drawings support the claim amendment at least at page 11, lines 11-18. Therefore, claims 1-4, 10, and 12-15 are presented and directed to subject matter of the original disclosure.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103 A. AND B.

A. Claims 1, 2, 4, 10, and 12-15 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Publication No. 2003/0167318 to Robbin et al (hereinafter “Robbin”), in view of U.S. Patent Publication No. 2003/0084452 to Ryan et al (hereinafter “Ryan”), in view of U.S. Patent Publication No. 2002/0010759 to Hitson et al. (hereinafter “Hitson”), and in further view of U.S. Patent No. 6,711,557 to Palaniappan. Applicant respectfully traverses the rejection.

Without conceding the propriety of the stated rejection, and only to advance the prosecution of this application, Applicant amends **independent claim 1** to clarify features of the claimed subject matter. Amended claim 1 now recites a computer-readable storage medium comprising stored computer-executable instructions that perform the following when executed by a computer (emphasis added):

receiving a request to perform a media operation on
a local media platform with respect to a media file, wherein

the receiving is through a media player user interface, wherein the media player user interface integrating a media provider user interface is a universal user interface permitting access to a first stream from a first remote media provider and a second stream from a second remote media provider;

determining a media provider from a plurality of media providers to which the media file is attributable;

assessing if the media provider allows the media operation to be performed with respect to the media file, wherein the assessing is performed by *calling an Application Programming Interface (API) associated with a code module received from the media provider* and associated with a requested media operation, *wherein a first code module is associated with the first remote media provider and a second code module is associated with the second remote media provider*;

permitting the local media platform to determine if the media operation is allowed without having to further communicate with the media provider;

performing the requested media operation if allowed by the media provider; and

denying the requested media operation if not allowed by the media provider.

Applicant respectfully submits that no such computer-readable storage medium is disclosed, taught, or suggested by Robbin, Ryan, Hitson, and/or Palaniappan, alone or in combination.

Independent claim 1 has been amended to include features of dependent claim 8. In making out the rejection of dependent claim 8, the Office cites to paragraph [0036] of Robbin as teaching a computer-readable storage medium wherein the assessing is performed by executing computer code/code module associated with the requested media operation received from the media provider. *See*, Office Action, page 4-5. Applicant respectfully disagrees. Rather, paragraph [0036] of Robbins recites that the needed host media information and the player media information can be gathered from the media

items themselves. *See*, Robbin, paragraph [0036]. Such media information can be acquired from metadata provided with the media items. *See*, Robbin, paragraph [0036]. By providing the media databases, synchronization is able to be performed more efficiently and quickly. *See*, Robbin, paragraph [0036].

Applicant respectfully submits that Ryan fails to compensate for the deficiencies of Robbin. Rather, Ryan describes an entertainment portal, which serves as a common interface to access local and remote entertainment content, integrate and categorize it, and then display it on a single HDTV display screen. *See*, Ryan, paragraph [0006]. The entertainment portal in Ryan establishes a user interface (UI), hosted remotely, and cached locally, rather than in the conventional set-top-box. *See*, Ryan, paragraph [0021].

Applicant respectfully submits that Hitson fails to compensate for the deficiencies of Robbin and/or Ryan. Rather, Hitson describes a system and method which allows multimedia content to be delivered. *See*, Hitson, Abstract. Users in Hitson may indicate a preference for a particular type or types, and content may be chosen based on user preferences. *See*, Hitson, Abstract.

Applicant respectfully submits that Palaniappan fails to compensate for the deficiencies of Robbin, Ryan, and/or Hitson. Rather, Palaniappan describes client-based monitoring of remote servers for computer program updates. *See*, Palaniappan, Abstract. A client process periodically downloads meta-information to determine whether any update is available for any program application that has registered with the monitoring process. *See*, Palaniappan, Abstract.

Thus, Robbin, Ryan, Hitson, and/or Palaniappan, alone or in combination, do not disclose, teach, or suggest “*operation to be performed with respect to the media file*,

wherein the assessing is performed by calling an Application Programming Interface (API) associated with a code module received from the media provider and associated with a requested media operation,” as recited in Applicant’s claim 1.

In addition, Applicant amends claim 1 to recite further features that are lacking from the cited references. As amended, claim 1 recites “***wherein a first code module is associated with the first remote media provider and a second code module is associated with the second remote media provider.***” As described in Applicant’s specification, there can be multiple modules of each type. *See*, Applicant’s Specification, page 11, line 11. If a user has subscribed to the first media provider, the second media provider, and the third media provider, the media platform can include three play modules (one for each media provider). *See*, Applicant’s Specification, page 11, lines 11-14. Applicant respectfully submits that Robbin, Ryan, Hitson, and/or Palaniappan, alone or in combination, fail to recite these features.

Thus, Robbin, Ryan, Hitson, and/or Palaniappan, alone or in combination, do not disclose, teach, or suggest the claimed subject matter. Accordingly, Applicant submits that the evidence relied upon by the Office does not support the rejections made under § 103 and respectfully requests that the § 103 rejection be withdrawn.

Claims 2, 4, 10, and 12-15 depend directly or indirectly from independent claim 1 and are allowable by virtue of this dependency, as well as for additional features that they recite. Applicant also respectfully requests individual consideration of each dependent claim

B. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Publication No. 2003/0167318 to Robbin et al (hereinafter “Robbin”), in view of U.S. Patent Publication No. 2003/0084452 to Ryan et al. (hereinafter “Ryan”), in view of U.S. Patent Application No. 2002/0010759 to Hitson et al. (hereinafter “Hitson”), in view of U.S. Patent No. 6,711,557 to Palaniappan, and in further view of U.S. Patent Application No. 2004/0248561 to Nykanen et al. (hereinafter Nykanen). Applicant respectfully traverses the rejection.

Applicant respectfully submits that all of the criteria set forth for making a prima facie case of obviousness have not been met by the Office. This § 103(a) rejection relies on Robbin as the primary reference. As explained above with respect to independent claim 1, Applicant respectfully submits that Robbin fails to disclose the features of independent claim 1. For example, Robbin fails to disclose *“assessing if the media provider allows the media operation to be performed with respect to the media file, wherein the assessing is performed by calling an Application Programming Interface (API) associated with a code module received from the media provider and associated with a requested media operation, wherein a first code module is associated with the first remote media provider and a second code module is associated with the second remote media provider.”* Dependent claim 3 depends directly from independent claim 1 and is allowable by virtue of this dependency. This dependent claim is also allowable for their own recited features that, in combination with those recited in claim 1 are not disclosed, taught, or suggested by Robbin.

Applicant respectfully submits that Ryan fails to compensate for the deficiencies of Robbin. Rather, Ryan describes an entertainment portal, which serves as a common

interface to access local and remote entertainment content, integrate and categorize it, and then display it on a single HDTV display screen. *See*, Ryan, paragraph [0006]. The entertainment portal in Ryan establishes a user interface (UI), hosted remotely, and cached locally, rather than in the conventional set-top-box. *See*, Ryan, paragraph [0021].

Applicant respectfully submits that Hitson fails to compensate for the deficiencies of Robbin and/or Ryan. Rather, Hitson describes a system and method which allows multimedia content to be delivered. *See*, Hitson, Abstract. Users in Hitson may indicate a preference for a particular type or types, and content may be chosen based on user preferences. *See*, Hitson, Abstract.

Applicant respectfully submits that Palaniappan fails to compensate for the deficiencies of Robbin, Ryan, and/or Hitson. Rather, Palaniappan describes client-based monitoring of remote servers for computer program updates. *See*, Palaniappan, Abstract. A client process periodically downloads meta-information to determine whether any update is available for any program application that has registered with the monitoring process. *See*, Palaniappan, Abstract.

Applicant respectfully submits that Nykanen fails to compensate for the deficiencies of Robbin, Ryan, Hitson, and/or Palaniappan. Rather, Nykanen describes a media content channel system for providing a plurality of media content channels to a mobile user is provided. *See*, Nykanen, paragraph [0011]. The media content channel system comprises a first network element coupled to provide primary content, a second network element coupled to provide secondary content, and a mobile terminal coupled to select the primary content. *See*, Nykanen, paragraph [0011]. The mobile terminal comprises a media channel controller coupled to detect the selection of the primary

content and coupled to instantiate a secondary media content channel to receive the secondary content in response to the selection of a primary media content channel. *See*, Nykanen, paragraph [0011].

Thus, Robbin, Ryan, Hitson, Palaniappan, and/or Nykanen, alone or in combination, do not disclose, teach, or suggest the claimed subject matter. Accordingly, Applicant submits that the evidence relied upon by the Office does not support the rejections made under § 103 and respectfully requests that the § 103 rejection be withdrawn.

CONCLUSION

Claims 1-4, 10, and 12-15 are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of the subject application. If any issue remains unresolved that would prevent allowance of this case, the Office is requested to contact the undersigned attorney to resolve the issue.

Respectfully submitted,

Lee & Hayes, PLLC

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By: /Kristina M. Kuhnert/
Kristina M. Kuhnert
Reg. No. 62,665
509.944.4717

Shirley Lee Anderson
Reg. No. 57,763